GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD – Allegation of not to proper care before the 2nd QC Inspection Team on 16.05.2020 in work "Laying of CC roads and drains in BC locality of Nawabpet GP of Penuganchiprolu (M), Krishna District - CC.No.1296/2022 in WP.No.21072/2021 which leads to huge embarrassment to the Government - Legal complications - Disciplinary proceedings under Rule 20 of APCS(CC&A) Rules, 1991 against Sri M. Bhaskararao, Assistant Engineer, Penuganchiprolu (presently retired) – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-I) DEPARTMENT

G.O.Rt.No.534 **Dated :29 -06-2022.**

Read the following:-

1) First QC Inspection Report dated:05.03.2019.
2) Second QC Inspection Report dated:16.05.2020.
3) Orders of High Court of A.P, dated 02.11.2021 in W.P.No.25294 of 2021 fled by Sri Pattan Allabakshu R/o Ananthasagaram, Nellore District.
4) Notice in Contempt Case No.1296/2022 fled by Sri Pattan Allabakshu R/o Ananthasagaram, Nellore District.
5) G.O.Ms.No.28, PR&RD(VIG.I) Department,dated:29.06.2022.

ORDER:

In pursuance of the sanction accorded in the reference 5th read above, under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of A.P. Revised Pension Rules, 1980, for instituting departmental proceedings against Sri M. Bhaskararao, Assistant Engineer, Penuganchiprolu (presently retired from service) in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I and II). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri M. Bhaskararao, Assistant Engineer, Penuganchiprolu (presently retired) is directed to submit his written statement of defence within (10) days of the receipt of this order.

4. Sri M. Bhaskararao, Assistant Engineer, Penuganchiprolu (presently retired) is informed that an enquiry will be held only in respect those article of charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri M. Bhaskararao, Assistant Engineer, Penuganchiprolu (presently retired) is further informed that if he does not submit his written statement of defense on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte, based on the material available on record.

P.T.O

6. Sri M. Bhaskararao, Assistant Engineer, Penuganchiprolu (presently retired) is invited to Rule-24 of the APCS (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of APCS(Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M. Bhaskararao, Assistant Engineer, Penuganchiprolu (presently retired) (through the ENC, PR, Vijayawada).
The ENC, PR, Vijayawada.
(in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:
The PR & RD (Estt-I) Department.
SF/SC

//FORWARDED;:BY::ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI M. BHASKARARAO, ASSISTANT ENGINEER, PENUGANCHIPROLU (PRESENTLY RETIRED).

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CHARGE:

That as per quality control norms and procedures, the 1st Quality Control Inspection was conducted on 05.03.2019 in the work "Laying of CC roads and drains in BC locality of Nawabpet GP of Penuganchiprolu (M) and proposed no recovery. During the inspection time Sri M. Bhaskararao, AE, Penuganchiprolu (presently retired from service) was worked as AE. The said 1st QC report dt:05.03.2019 was intimated to the concerned AEE, DEE & EE. Subsequently, as per the orders, 2nd QC inspection team has attended the above work on 16.05.2020 and conducted inspection. The first QC Team has proposed no recovery against the work, whereas the 2nd QC Team Report has proposed for recovery of Rs.40.02 lakhs in the work. On close observation, it is noted that, when 2nd QC Team inspected the work, the concerned AEE/AE, DEE & EE have not brought the 1st QC report to the notice of 2nd QC Team at the time of inspection to facilitate them to understand the said report and its findings. Despite having information on hand, the AEE/AE, DEE & EE, who worked at the time of 2nd Inspection Team have failed to bring to the notice of 2nd QC Team about the 1st QC Report on the work. Thereby, unnecessary complications and legal issues have been arose and huge embarrassment was created in dealing with legal issues on payments. The concerned AEE/AE, DEE & EE should have taken proper care at the time of visit of 2nd Inspection Team and failed to bring the connected records including QC reports to the concerned authorities. This has caused huge embarrassment to the Government.

2. Thus, Sri M. Bhaskararao, AE, Penuganchiprolu (presently retired from service) showed his disobedience of the orders issued by the higher authorities and gross negligence in attending his legitimate duties and acted in contravention of Rule 3 of APCS (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI M. BHASKARARAO, AE, PENUGANCHIPROLU (PRESENTLY RETIRED FROM SERVICE).

BASIS:

Whereas as per quality control norms and procedures, the 1st Quality Control Inspection was conducted on 05.03.2019 in the work "Laying of CC roads and drains in BC locality of Nawabpet GP of Penuganchiprolu (M) and proposed no recovery. During the inspection time Sri M. Bhaskararao, AE, Penuganchiprolu (presently retired from service) was worked as AE. The said 1st QC report dt:05.03.2019 was intimated to the concerned AEE, DEE & EE. Subsequently, as per the orders, 2nd QC inspection team has attended the above work on 16.05.2020 and conducted inspection. The first QC Team has proposed no recovery against the work, whereas the 2nd QC Team Report has proposed for recovery of Rs.40.02 lakhs in the work. On close observation, it is noted that, when 2nd QC Team inspected the work, the concerned AEE/AE, DEE & EE have not brought the 1st QC report to the notice of 2nd QC Team at the time of inspection to facilitate them to understand the said report and its findings. Despite having information on hand, the AEE/AE, DEE & EE, who worked at the time of 2nd Inspection Team have failed to bring to the notice of 2nd QC Team about the 1st QC Report on the work. Thereby, unnecessary complications and legal issues have been arose and huge embarrassment was created in dealing with legal issues on payments. The concerned AEE/AE, DEE & EE should have taken proper care at the time of visit of 2nd Inspection Team and failed to bring the connected records including QC reports to the concerned authorities.

2. Thus the Government Servant Sri M. Bhaskararao, AE, Penuganchiprolu (presently retired from service) failed to obey the orders of higher authorities and gross negligence on his legitimate duties. Thus by the above mentioned acts, he failed to maintain absolute integrity, devotion to the duty and conduct unbecoming of a Government Servant and there by contravened the Rule 3(1) & 3(2) of APCS (Conduct) Rules, 1964.

Hence, the charge.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SRI M. BHASKARARAO, AE, PENUGANCHIPROLU (PRESENTLY RETIRED FROM SERVICE) ARE PROPOSED TO BE SUSTAINED:

1) First QC Inspection Report dated:05.03.2019.
2) Second QC Inspection Report dated:16.05.2020.
3) Orders of High Court of A.P, dated 02.11.2021 in W.P.No.25294 of 2021 fled by Sri Pattan Allabakshu R/o Ananthasagaram, Nellore District.
4) Notice in Contempt Case No.1296/2022 fled by Sri Pattan Allabakshu R/o Ananthasagaram, Nellore District.

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SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGE AGAINST SRI M. BHASKARARAO, AE, PENUGANCHIPROLU (PRESENTLY RETIRED FROM SERVICE) IS PROPOSED TO BE SUSTAINED :

- NIL –

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER